

AMENDED IN ASSEMBLY APRIL 6, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2172

Introduced by Assembly Member Evans

February 21, 2006

An act to add Section 12748.3 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2172, as amended, Evans. ~~St. Helena-Napa~~ *Helena-Napa* River Flood Protection and Estuary Restoration Project.

~~Under existing law, various measures have been approved by the voters to provide funds for water projects, facilities, and programs.~~

(1) Existing law authorizes, on a project-by-project basis, and in accordance with designated plans, state participation in federal flood control projects and specifies the degree of cooperation to be assumed by the state and local agencies in connection with those projects.

~~This bill would declare legislative intent that the St. Helena-Napa River Flood Protection and Estuary Restoration Project, upon federal authorization, become eligible for state bond funds that are proposed to be made available by the enactment of the Flood Protection and Clean, Safe, Reliable Water Supply Bond and Financing Act of 2006. require the City of St. Helena to give assurances satisfactory to the Secretary of the Army that the local cooperation required by the federal Flood Control Act of 1954 will be furnished by the city in coordination with the St. Helena-Napa River Flood Protection and Estuary Restoration Project in connection with a specified plan of flood control, thereby imposing a state-mandated local program.~~

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the

state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12748.3 is added to the Water Code, to
2 read:

3 12748.3. (a) The Legislature hereby finds and declares that
4 the St. Helena-Napa River Flood Protection and Estuary
5 Restoration Project is now completed and pending federal
6 authorization.

7 (b) The City of St. Helena shall give assurances satisfactory to
8 the Secretary of the Army that the local cooperation required by
9 the federal Flood Control Act of 1954 (Public Law 83-780) will
10 be furnished by the city in coordination with the St. Helena-Napa
11 River Flood Protection and Estuary Restoration Project in
12 connection with the plan of flood control adopted and authorized
13 in Section 12748. This authorization shall not be deemed to
14 confer preference to this project over the needs of other
15 statewide programs in appropriations of available funds.

16 SEC. 2. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district are the result of a program for which legislative authority
20 was requested by that local agency or school district, within the
21 meaning of Section 17556 of the Government Code and Section 6
22 of Article XIII B of the California Constitution.

23 ~~SECTION 1. It is the intent of the Legislature that the St.~~
24 ~~Helena Napa River Flood Protection and Estuary Restoration~~
25 ~~Project, upon federal authorization, become eligible for state~~
26 ~~bond funds that are proposed to be made available by the~~
27 ~~enactment of the Flood Protection and Clean, Safe, Reliable~~
28 ~~Water Supply Bond and Financing Act of 2006.~~

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